

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF THE REQUEST FOR	:	
AGENCY ACTION OF UTAH DIVISION OF OIL,	:	NOTICE OF HEARING
GAS, AND MINING FOR A CESSATION ORDER	:	
AND CIVIL PENALTIES AGAINST	:	
MONTEZUMA WELL SERVICE, INC., AND	:	Docket No. 2009-015
EARL MARTINEZ, OWNER AND OPERATOR OF	:	Cause No. WD-04-2009
THE MONTEZUMA CREEK WASTE DISPOSAL	:	
FACILITY SECTION 14, T 40 So., R. 22 EAST,	:	
SAN JUAN COUNTY, UTAH.	:	

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING
MATTER.

Notice is hereby given that the Board of Oil, Gas, and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, AUGUST 24, 2011, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. requiring compliance with the Division's Order entered pursuant to R649-9-5(5); seeking an award of Civil Penalties against Montezuma Well Service, Inc. and Earl Martinez as the owner and operator of the Montezuma Creek Waste Disposal Facility pursuant to Sections 40-6-11 and 12 Utah Code (2009) for the violation of the requirements of R649-9-1 through 9 and the corrective order of the Division; and
2. providing such other relief as may be just and equitable under the circumstances.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing.

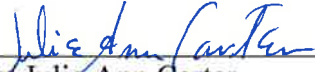
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 3rd day of August, 2011.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
James T. Jensen, Chairman



/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2009-015, Cause No. WD-04-2009 to be mailed with postage prepaid, this 3rd day of August, 2011, to the following:

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